

May 10, 2006

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554

Re: <u>DBS Communications</u>, Inc. Certification of CPNI Filing EB-06-TC-060, WC Docket No. 06-36

Dear Ms. Dortch:

DBS Communications, Inc. (DBS) submits the following Certificate of Compliance regarding the protection of Consumer Proprietary Network Information ("CPNI") pursuant to 42 U.S.C. § 222(a), 47 C.F.R. § 64.2001 et. seq., "CPNI Rules")

Compliance Certificate

The undersigned, an officer of DBS responsible for CPNI compliance, certifies based upon personal knowledge that DBS has established operating procedures adequate to ensure compliance with the CPNI Rules.

Compliance Statement

DBS, as a reseller of prepaid wireless services on the networks of national wireless carriers, is not typically aware of the names and addresses of its subscribers, who often purchase our service through third party vendors, such as convenience stores. DBS enters into confidentiality agreements with such vendors to treat as confidential the business of DBS.

Nonetheless, to the extent that DBS comes into the possession of CPNI in the course of providing wireless services to its subscribers, DBS has adopted the following CPNI operating procedures. DBS prohibits any use, disclosure or access to CPNI other than in the manner provided for in the CPNI Rules. More specifically, DBS permits the use, disclosure or access to CPNI without customer approval only for the purposes provided for in § 64.2005 (a), (c) and (d) of the CPNI Rules, specifically, to provide or market service offerings among the categories of services to which the customer already

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subscribes as a pre-paid wireless subscriber, information services, so-called "adjunct to basic services" (including but not limited to speed dialing, computer provided directory assistance, call monitoring, call tracing call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding and certain other services) and to protect the rights or property of DBS or to protect users of DBS's services and other carriers from fraudulent, abusive or unlawful use of such services,

DBS prohibits the use, disclosure or access to a customer's individually identifiable CPNI for the purposes of marketing any services other than communications-related services. For communications-related services (not within a category of service to which the subscriber already subscribes) DBS prohibits the use of a customer's individually identifiable CPNI unless a customer gives its opt-out approval electronically or in a writing except where such approval is obtained in connection with an in bound or out bound customer telephone contact for the duration of the call.

In those situations where customer authorization would be necessary under the CPNI Rules, DBS does not share any customer-individually identifiable CPNI with a joint-venture partner or independent contractor that has not entered into a confidentiality agreement with DBS. Such agreements would require that such partner or contractor may use such information only to market or provide the communications-related service for which the opt-out consent was obtained; prohibits such partner or contractor from using, allowing access to or disclosing such CPNI to any other party unless required to do so by force of law; and requires such partner or contractor to have appropriate protections in place to ensure the ongoing confidentiality of the CPNI.

DBS has implemented processes and procedures governing its personnel regarding CPNI. For instance, DBS employees are required to abide by DBS' confidentiality and protective agreements, and Employee Handbook, which must be reviewed and signed by its employees as part of the hiring process. Among other things, these documents require employees to abide its CPNI procedures described herein. DBS trains its employees in its CPNI procedures. Any employee who violates DBS' confidentiality and protective agreements, or Employee Handbook, will be subject to discipline, including possible termination.

Finally, DBS' policy is to maintain records for a period of one year of any sales and marketing campaigns that use its customers' CPNI and of all instances where CPNI was disclosed or provided to third parties or where third parties were allowed access to

CPNI.

Respectfully submitted

Laren Whiddon

Chief Operating Officer
DBS Communications, Inc.